

TO: PLANNING AND ZONING COMMISSION

FROM: BRETT BURNINGHAM, PLANNING ADMINISTRATOR; CHRISTINE

SHEEHY, PRINCIPAL PLANNER

RE: RZ16-045 "Malone Place Planned Area Development (PAD)

Scrivener's Error Correction", a request by staff to correct a

scrivener's error by adding C-2/PAD to the Planning Commission Staff Report and correcting Ordinance 621-16. The original case included approximately 377 acres generally located at the southeast corner of

Signal Butte Road and Queen Creek Road.

DATE: February 6, 2018

STAFF RECOMMENDATION

Staff recommends approval to add the zoning district C-2/PAD to the Staff Report and Ordinance 621-16 to correct a scrivener's error.

PROPOSED MOTION

Move to approve adding the zoning district C-2/PAD to the Planning Commission Staff Reports and Ordinance 621-16 to correct a scrivener's error.

SUMMARY

Inadvertently, the text of the Staff Report and notices for Case RZ16-045 did not include the zoning district designation of C-2/PAD. The Applicant's submittal, however, which included a Narrative, development plan and zoning maps among other documents included three C-2/PAD commercial corners. See attached exhibits. When the case was presented at the Planning Commission and in documents available to the public it was clear that there were three commercial corners included in the application. The text in the notice and in the staff report, however, did not list the commercial corners as C-2/PAD. This scrivener's error was later discovered, which necessitated this request. This same request will be presented to the Town Council following the Planning Commission's recommendation.

HISTORY

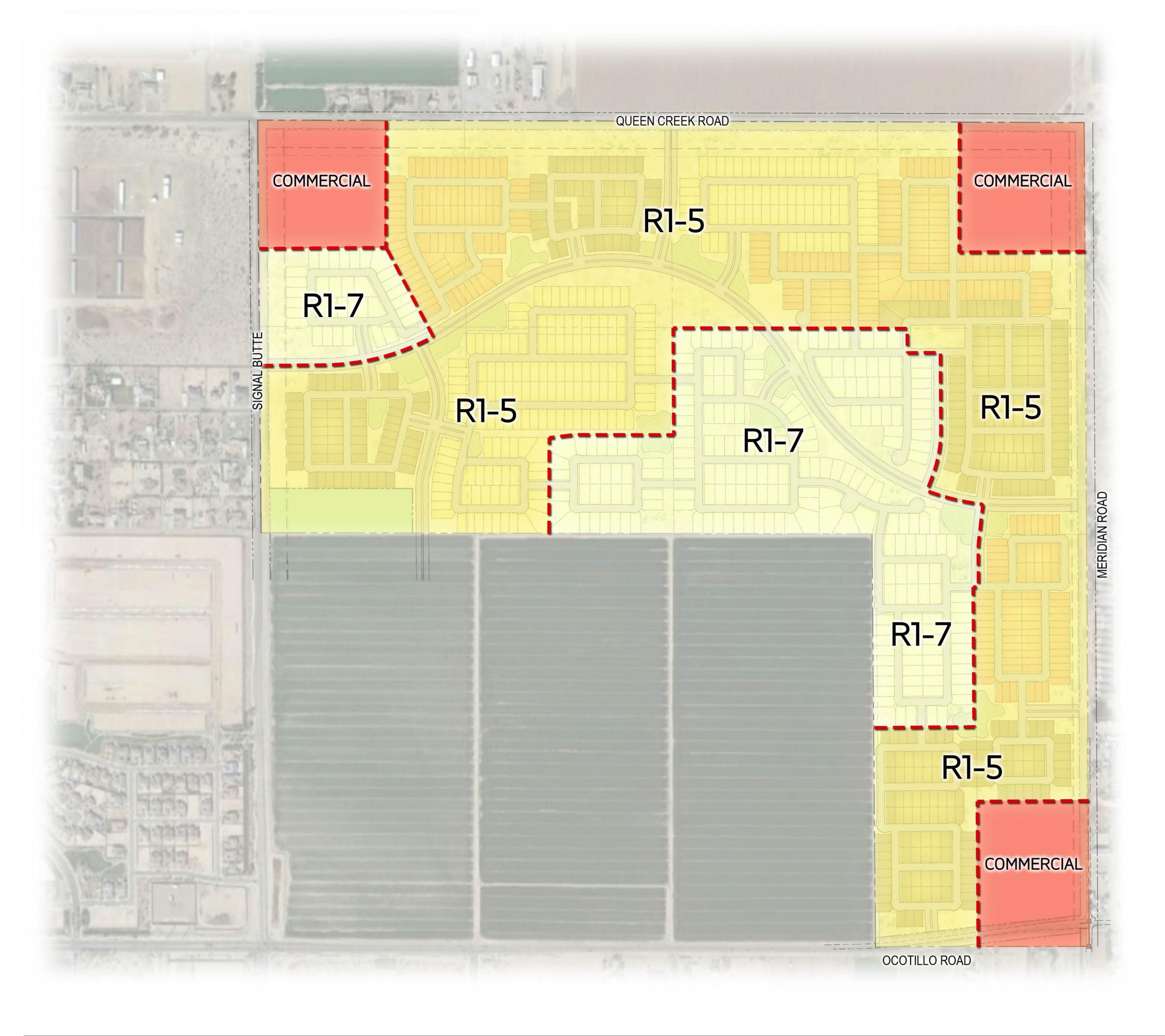
September 21, 2016: Town Council approved Ordinance 621-16 authorizing the

rezone of 377 acres (Malone Place) from R1-43 (Rural

Estate District) to a Planned Area Development PAD/R1-5 (Urban Development District) and R1-7 (Urban Development Type A District). C-2 (GENERAL COMMERCIAL)/PAD DISTRICT WAS INADVETANTLY LEFT OUT OF THE TEXT IN THE STAFF REPORT AND ORDINACE.

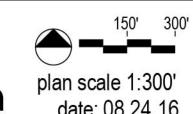
ATTACHMENTS

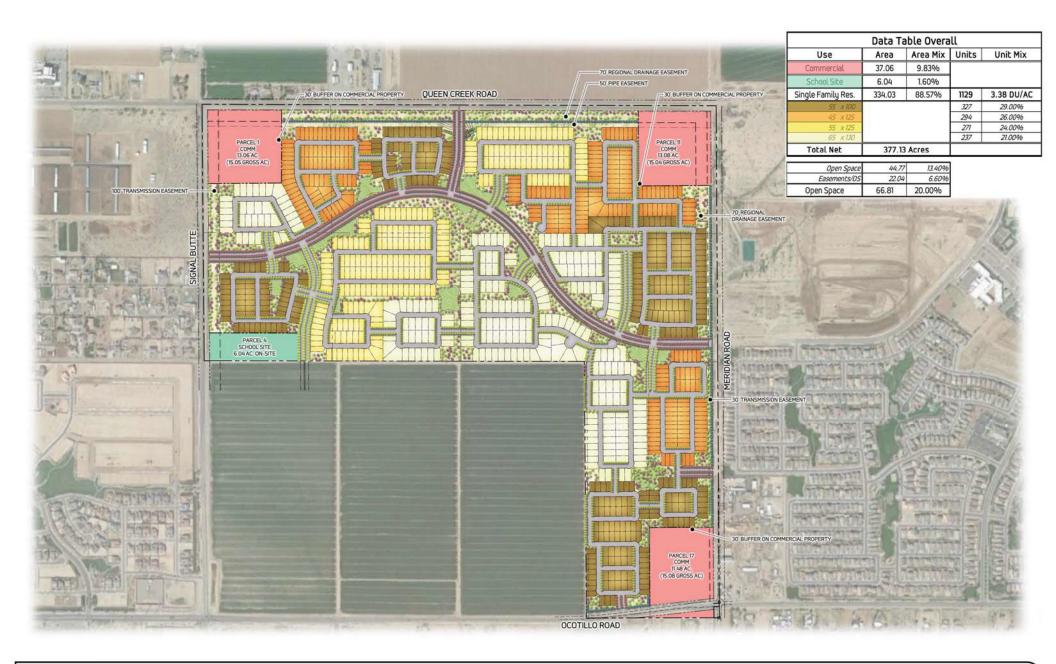
- 1. Zoning Map Exhibit
- 2. Development Plan Exhibit
- 3. Malone Place PAD Narrative
- 4. Ordinance 621-16 Corrected



R1-5: 45'x125' 55'x100' 55'x125'

R1-7: 65'-130'







Malone Place

Planned Area Development Narrative (Meridian Ranch MGPA)

Submitted by:

Bowman Consulting Group, Ltd.

1295 W. Washington St., Suite 108 Tempe, Arizona 85282 480-629-8830

And

Pew and Lake, PLC

1744 S Val Vista Drive, Suite 217 Mesa, Arizona 85204 Phone: 480-461-4670

Submitted on Behalf of: W Holdings

1121 West Warner Road, Suite 109 Tempe, Arizona 85284

And

Langley Properties

2738 E Guadalupe Road Gilbert, Arizona 85234

Submitted to:

Town of Queen Creek

22350 South Ellsworth Road Queen Creek, Arizona 85242

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1. REQUEST

Bowman Consulting, on behalf of W Holdings and Langley Properties, is proposing a 1,129 lot community with 3 commercial corners located on the west side of Meridian Road, south of Queen Creek Road, east of Signal Butte Road and north of Ocotillo Road in the Town of Queen Creek. The net acreage is approximately 377 (net of arterial roadways). The Malone Place Planned Area Development will consist of approximately 1,129 lots on approximately 334 residential net acres of land at a density of 3.38 du/ac. A density which is compatible to the surrounding Medium Density and Medium High Density Residential land use classifications and developed residential communities surrounding the site. This request is to rezone the Property from the current R1-43 (Rural Estate District) to R1-7, R1-5, and C-2 Commercial Planned Area Development (PAD). This will provide a mixture of residential lot sizes and provide commercial areas at the arterial intersections for quick access to shopping and business services to the residents as is also depicted on the Queen Creek General Plan map.

2. BACKGROUND

This site is composed of seven agricultural parcels, 304-64-002B, 002C, 002D, 002E, 001D, 003P, 003M and 003N. Historically the project area has been used for agricultural purposes and farming for decades. This proposal will continue to allow the agricultural uses to take place until which time the site is developed as well as maintain the tax status for farming until developed.

The proposal will allow a land use designation that is fully compatible and complementary with adjacent uses, providing for smoother transitions between existing and new development and varying intensities of uses. This proposal is being processed concurrently with the General Plan Amendment for the subject property. The General Plan Amendment is seeking Medium-High Density Residential (0-5 du/ac) along with a PAD zoning limiting the density to 3.38 du/ac, and leaving the existing Commercial land uses. Accordingly this PAD zone request will provide commercial corners at the intersections of Queen Creek and Signal Butte Roads, Queen Creek and Meridian Roads and Ocotillo and Meridian Roads.

3. CONSISTENCY WITH THE GENERAL PLAN

Malone Place (the Project) will be in compliance with the General Plan, once the General Plan Amendment is approved by Town Council. This property currently is designated as Employment Type A with commercial corners. The General Plan Amendment designates this area for Medium-High Density Residential (0-5 du/ac) and leaves the commercial land uses. The general plan can be amended through the legislative process once a year. The process to change the general plan takes several months and has included several neighborhood meetings, planning commission hearings and Town Council hearings. The desired density for the Project is at 3.38 dwelling units to the acre. The proposed Planned Area Development (PAD) demonstrates how this property will be zoned to be in compliance with the proposed General Plan Amendment. In addition, it provides minimum lot sizes and development standards consistent with the surrounding residential densities and the Town's General Plan's Vision of "Keeping Queen Creek Unique" through the following:

Land Use Element Goals & Policies

Goal 1 - Policy 1a

This rezone will protect and promote the Town's sustainable future while providing a unique, attractive, and desirable community by providing land uses and infrastructure that transition from the current vision and development of the Town to the future.

Goal 3 – Policy 3b

This rezone will provide housing opportunities within the Town for medium-high density residential areas near future shopping and employment areas while buffering the existing lower density residential areas.

Goal 3 – Policy 3d

This rezone will help ensure compatibility between new projects and existing neighborhoods by providing appropriate transitional treatments. The rezone is compatible with the surrounding existing development and proposed future development.

Goal 4 – Policy 4a

This rezone will diversify the area to become more economically sustainable by providing a consumer and employment population base that is closer to the nearby commercial and employment areas for long term success.

Growth Areas Element Goals & Policies

Goal 4 - Policy 4a

This rezone is maximizing the benefit of planning large parcels together. They will be served by the same facilities and improvements, allowing the Town to plan more cohesively for future development.

Goal 4 – Policy 4b

By showing the parcels together with their future land use, the Town can better plan and size future infrastructure needs for future "build out" system capacities.

Economic Development Element Goals & Policies

Goal 1 – Policy 1a

This rezone proposes building an economically attractive community providing new investment in the Town's future sustainable development with close access to future commercial and employment developments without having the issue of incompatibility.

Goal 1 – Policy 1c

This rezone proposes the opportunity for a variety of housing to enhance the Town's attractiveness for companies locating in the southeast valley and the Phoenix-Mesa Gateway Airport area and with close proximity to a variety of services, housing options and desired amenities.

4. RELATIONSHIP TO SURROUNDING PROPERTIES

This site is bound on the south by Ocotillo Road, on the north by Queen Creek Road, on the east by Meridian Road and on the west by Signal Butte Road. The General Plan Land Use classifications, along with the existing zoning and uses for the adjacent parcels, are listed in **Table 1** – *Adjacent Land Uses*.

Table	1-	Ad	jacent	Land	Uses
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Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Medium High-Density Residential (0-5 DU/AC)/ Employment Type A	Employment A and R1-5	Agricultural Farms
East	Medium-Density Residential (0-3 DU/AC)/ Commercial	R1-7/ R1-9 PAD/ RU-43 (Pinal County)	Single Family Residential/ Vacant Land
South	Medium High-Density Residential (0-5 DU/AC)/ Commercial	RU-43 (Maricopa County)	Country Mini Farms Unit 2
West	Medium-Density Residential (0-3 DU/AC)/ Commercial	RU-43 (Maricopa County)	Dairy and Mini Farms

IMPACT ON SURROUNDING PROPERTIES

This request will benefit the Town of Queen Creek by redesignating stagnant and excessive amounts of Employment to Residential. This redesignation and subsequent rezoning will remove an island of Industrial/Employment completely surrounded by residential neighborhoods. Currently, the existing single family residential communities of Charleston Estates, Church Farms and Ironwood Crossing are located adjacent to the site. West of the Project is a small Dairy/Mini Farm. The Project will have a large 100' SRP power line corridor adjacent to Signal Butte Road. There will also be a landscape tract between the power line easement and the homes creating an adequate buffer. This community master plan provides for transitions around the commercial corners and helps further buffer the more intense uses which may occur north of Queen Creek Road more appropriately. See *Vicinity Map* – **Exhibit A**.

5. CIRCULATION

The site is bounded by four arterial roadways, Signal Butte Road, Meridian Road, Queen Creek Road and Ocotillo Road. Because of the excessive amounts of Industrial Land in the Southeast Valley, it is unlikely that the market would absorb a sufficient amount of industry that would warrant the development for a very long time. This land use change will align the land uses with the market and accelerate the improvements of offsite roadways thereby completing the adjacent arterial roadway network sooner. The project will have direct access onto the arterials during the design phases. Currently Signal Butte, Queen Creek and Ocotillo Roads have been improved to a paved two lane roadway. In the future they will need to be improved to full 4-lane Arterials. Meridian Road currently does not exist and will also need to be improved to its ultimate build out as a Minor Arterial. The main collector road that connects Signal Butte to Meridian is curvy linear in design creating a natural traffic calming device.

In addition, this roadway will be landscaped in the median at places near the arterial perpendicular connections. Improvements to the roadway infrastructure will not only benefit the residents in close proximity to the project, but the entire Town in helping to move people to employment and retail opportunities more quickly thus reducing time spent commuting. Arterial roadway improvements will occur as the adjacent parcels develop within the Malone Place PAD.

6. DEVELOPMENT PLAN

Malone Place consists of approximately 377 residential and commercial net acres and its location is ideally suited for residential and commercial development. The development plan for Malone Place illustrates how the Project will be designed for maximum efficiency and benefits to the future residents through open space, trails and community facilities. The plan also better demonstrates how the requested modifications to certain development and design standards are warranted for increased housing options and a more thoughtfully designed community. Reference **Exhibit C** – *Development Plan* for further detail.

Residential

The maximum number of lots permitted under the development plan is 1,129. Residential Development Standards for the Malone Place project are shown in *Table 2 – Proposed Residential Development Standards*. Reference **Exhibit D** - *Typical Lot Fit*, for clarification on the lot layouts.

Table 2 - Proposed Residential Development Standards
*Deviations from the Town Code are bolded.

Standard	R1-5 PAD (Proposed)	R1-5 (Code)	R1-7 PAD (Proposed)	R1-7 (Code)
Minimum Lot Area (SF)	per code	5,000	per code	7,000
Minimum Lot Width	45'	50'	65'	70′
Minimum Lot Depth	per code	70'	per code	100'
Maximum Lot Coverage	per code	50% (1)	per code	40% (4)
Maximum Height	per code	30'	per code	30'
Minimum Setbacks				
Front	per code	20' (2)	per code	20' (2)
Sides	per code	5′	per code	5' & 10' (5)
Rear	per code	20' (3)	per code	25'

- (1) 55% for single story homes.
- (2) 20' to front of garage (front entry)/10' to front of garage (side entry) and living area/10' to covered front porch.
- (3) 20' for two-story homes/15' for single-story homes and / or covered patios.
- (4) In the R1-7 district, lot coverage may increase up to five percent (5%) for houses that provide front porches that meet the design criteria stated in Town of Queen Creek Design Standards.
- (5) In the R1-7 district, adjoining lots shall have a minimum spacing of fifteen feet (15') between buildings. For example, if one (1) lot has an existing five foot (5') side yard setback, then the adjoining lot shall have a side yard minimum of a ten foot (10') setback. Staggered setbacks are encouraged to create differentiation in building orientation to the street.

It is proposed that the R1-5 district will allow the 55' x 100' lot size. The dimensions for this lot size exceed the minimum requirements. This product is targeting the "lock and go" retail buyer. This lot size is a 5,500 average square foot lot and is 29% of the overall plan.

The request to go from a 50' wide lot to a 45' wide lot in the R1-5 district is based on the following criteria: The 45' wide lot will have a depth of 125'. The code requires a minimum of 70'. This will give a substantial increase to the overall lot depth and size. This is an overall enhancement to this lot size. This lot size is a 5,625 average square foot lot and is 26% of the overall plan.

The 55'x125' lot size is provided in the same R1-5 district to allow for a conventional housing product. The code requires a minimum of 70' and the depth being offered is 125'. This will give a substantial increase to the overall lot depth and size. This is an overall enhancement to this lot size. The average square foot for this lot is 6,875 and accounts for 24% of the overall plan.

It is proposed that the 65'x130' lot size in the R1-7 district is seeking a minor modification going from 70' to 65' wide lots. However, the dimensions for this lot also exceed the minimum requirements going from 100' in depth to 130' in depth. This lot size will be the largest in this community at 6,875 average square feet and is 21% of the overall plan.

Commercial

The commercial corners within Malone Place are planned to provide general commercial and light commercial activities to the residents and the surrounding communities. These areas will be buffered by landscaping, open space and transitional residential zoning categories. The PAD will utilize the same development standards within the Town of Queen Creek Zoning Ordinance as of the date of this PAD adoption. The requirement to have a 30 foot landscape buffer will be on the commercial side.

OPEN SPACE

In consideration of the modified standards being proposed for Malone Place, this development will provide 20%, approximately 66 acres of open space. The minimum open space required is 20% in the R1-7 and R1-5 districts and a minimum of 15% is required in the C-2 district.

Active open space amenities, including a large 4.5-acre community park and four smaller community parks to help maximize the 30% active open space requirement by providing over 35 acres (52%) of active open space out of the total 66 acres. In addition to these parks there will be smaller neighborhood pocket parks for residents to recreate a short distance from their home.

To further create active areas, a linear trail system is provided throughout Malone Place. *The Trails and Park Plan* in **Exhibit E**, demonstrates the extensive trails network will buffer the Project along Signal Butte Road following the Abel-Moody transmission line. The Abel-Moody line is a 100' wide transmission easement that runs along the east side of Signal Butte Road from Queen Creek Road on the north to the south of the project. Within this corridor a trail system will further connect the residents with other communities and amenities within Queen Creek and provide another active open space and landscaped view corridor.

The Town of Queen Creek regional trail system requires a 12' wide unpaved trail to be located along Meridian Road and Queen Creek Road. This will be part of the Malone Place trail network. The internal East West collector road will have sidewalks on both sides to easily connect residents to the parks along this roadway.

The main entrance with thematic monumention is off of Queen Creek at the half mile point. The two entries off of Signal Butte Road and Meridian Road will have entry signage that will be submitted for staff approval at preliminary plat.

Additionally the project provides substantial relief from the Queen Creek and Signal Butte arterial roadways. In addition to the 100' wide powerline/landscape and trail corridor along Signal Butte, there is a 120' wide landscape and trail corridor along Queen Creek Road. These open space areas not only provide an open space amenity for the residents, but a visual relief to the arterial roadways further emphasizing Malone Place as a quality community.

The Malone Place open space and trails network creates walkable, pedestrian and bicycle friendly neighborhoods, increased opportunities for active and passive amenities, as well as efficient and integrated drainage solutions. Amenities and the strategic placement of larger single family lots at sensitive locations create a strong neighborhood identity. The design team focused on open space, diversity in product type and connectivity of the community. The Project provides for a variety of compatible single-family uses and amenities.

The parks are connectable on a pedestrian level. The community park serves as the main community focal point. The 4.5 acres park has been designed with several amenities that pull multi-generation interest. A mounded obstacle course, discovery bike trail, mounded turf tunnels, ramada shade structure, an event lawn, ample turf, and an adventure play zone anchor this park for all the residents at Malone Place.

The smaller neighborhood parks are designed for more intimate gatherings and are equipped with both active and passive recreation. For more detail on the smaller parks, see *Conceptual Open Space Master Plan* – **Exhibit E**.

As depicted in the *Conceptual Landscape & Open Space Plan* – **Exhibit E**, open space landscaping has been designed with a distinct and consistent theme that is appropriate for the Town of Queen Creek and which will help set the theme for the site. All open space areas will be owned and maintained by the Homeowners' Association.

7. DESIGN GUIDELINES

The community design proposed for the Malone Place PAD will be consistent with the requirements of the Town of Queen Creek Design Standards. As each project comes in, builders will provide the Town with plans and designs consistent with the community theme and the standards within the Town of Queen Creek.

THEME WALLS & ENTRY MONUMENTATION

The entry monumentation design and wall theming elements are intended to create a unique and distinct character for this community. The primary entrances into the community will be located

off of Queen Creek, Signal Butte and Meridian Roads. As depicted on the *Entry Monument Exhibit* - **Exhibit** - **Exhibit** - **Exhibit** - **Exhibit** - **Exhibit** - **Exhibit** some of materials, walls and vertical elements to create a stately and distinct entry feature.

The community walls have been designed to be complimentary to the entry monumentation. As illustrated on the *Wall Plan and Wall Exhibit* - **Exhibit G**, a variety of wall types, materials, and wall panel heights have been incorporated into the design of the community's theme walls. This design provides a character and theme for the community that is both consistent with the Town's rural and agrarian history and can be applied to future residential and non-residential areas nearby. The perimeter theme walls create an aesthetically pleasing edge condition for the surrounding neighborhoods.

8. PUBLIC <u>UTILITIES AND SERVICES</u>

Utilities and services will be provided as follows:

Water: Town of Queen Creek
Sewer: Town of Queen Creek
Electric: Salt River Project
Gas: Southwest Gas

Cable: Cox Communications
Telephone: Qwest/Century Link
Police: Maricopa County Sheriff
Fire: Town of Queen Creek

School: Queen Creek Unified School District

Water

Potable water is proposed to be provided by the Town. From information obtained from the Town of Queen Creek Utilities Department, there is an existing 12-inch water line in Queen Creek Road and Meridian Road and Ocotillo Road as well as a 12" water line scheduled to be constructed east and west through this section (see the *Water and Sewer - Exhibit H*). Roughly 1,300 feet of 12" water main line in Meridian Road north of Ocotillo has yet to be constructed and will need to be finished prior to this development as would the secondary water lines. An 8" water line in existing in the Signal Butte roadway alignment. Preliminary discussions with the Town's Utility Department indicate that existing water lines near the project boundaries can be tapped and new lines extended within and around the development to serve the project's potable water demand. The proposed water system improvements will be designed as looped systems and developed in accordance with Town's 2015 Water Master Plan and ADEQ's requirements.

Wastewater

Sewer service will be provided by the Town's sewer system. From information obtained from the Town of Queen Creek Utilities Department, there is an existing 18-inch sewer main in Queen Creek Road and a 21-inch sewer main in Ocotillo Road. Per the Town of Queen Creek Waste Water Master Plan the Town is anticipating extending the 18-inch sewer east to Meridian Road. Per the Queen Creek Waste Water Master Plan it is anticipated that the north half of Section 13

will drain to the Queen Creek Road sewer main and the south half will drain to the Ocotillo Road sewer main.

The proposed improvements will utilize these sewer mains to provide service throughout the Planned Area. More detailed analysis of the wastewater collection system for this project along with connections to existing infrastructure will be determined along with the preliminary plat. The proposed water system improvements will be designed and developed in accordance with Town's and ADEQ's requirements.

<u>Schools</u>

Efforts will be coordinated with the Queen Creek Unified School District throughout the entitlement process to ensure that our responsibilities for adequate educational facilities are accomplished for the District. It is the intent to locate the school facility in collaboration with the proposed community to the south by splitting the school site over the two communities which will benefit from the schools location. By placing the site at its proposed location, it will have access to the collector roadway with quick access to the arterials. The underlying zoning for the school will be R1-5. In the event the school does not develop, the property reserved for the school site will be developed as a residential subdivision.

Streets/Circulation

This development will facilitate half-street improvements to the perimeter roadways; Signal Butte Road, Queen Creek Road, Meridian Road and Ocotillo Road. Collector Roads into the community will access the site from Signal Butte, Queen Creek and Meridian arterial roads. Streets internal to the community will be designed per the Town requirements for a local street.

State of Arizona Air & Water Quality Standards

Malone Place will be designed and constructed in adherence to all relevant State of Arizona air and water quality standards. During project construction, measures will be taken to control any dust generated by activities on the Property and to control any unscreened storm water discharge to adjacent waterways. After the project infrastructure is completed, dust control and storm water management practices will remain in place until all lots within the project have been developed.

9. PHASING

The Project is proposed to be developed as dictated by market conditions. Due to the project size, and multiple property ownership interests, the development of Malone Place may occur off of any of the entries into the community and may occur at different times or several at a time. The market will determine the timing of development for each subdivision.

The arterial roadways, (Queen Creek Rd, Signal Butte Road, Meridian Road, and Ocotillo Road), and the internal East West collector road will be improved when the adjacent subdivision is developed.

10. PUBLIC PARTICIPATION

While this request has already been discussed with a number of the adjacent property owners, the project team will be implementing significant neighborhood outreach efforts. A neighborhood meeting will be conducted inviting nearby property owners, consistent with the Town's public participation procedures, to address any questions they may have and bring them to the attention of the Town. The project team is committed to continuing public participation efforts throughout the entitlement process.

11. GRADING AND DRAINAGE

Currently the site is being used for agricultural purposes and has no improvements on the site aside farming improvements. The local topography is generally well graded, due to the agricultural land use. According the USGS Quadrangle maps, the site generally slopes to the west. Reference the *Grading & Drainage Exhibit* - **Exhibit I.**

The site falls within the East Mesa Area Drainage Master Plan. According to this East Mesa Area Drainage Master Plan the site will be impacted by significant offsite flows. These flows are planned to flow through the adjacent Ironwood Crossing subdivision to the east then cross over Meridian Road entering the site.

A recent update was issued with recommended improvements on March 2014. Part of these recommendations are to redirect the flows that exit Ironwood Crossing on the north to Queen Creek Road along the Meridian Road alignment, conveying them into a recommended regional detention basin in the Future East Park Sports Complex site which is located, north of the site. With these improvements the site will be protected from offsite flows.

The site will be designed in accordance with the current Town of Queen Creek Design Standards and Procedures Manual.

12. PROJECT TEAM

Owner/Developer: W Holdings

Attn: Seth Keeler and Carson Brown 1121. W. Warner Road, Suite 109

Tempe, AZ 85284 Phone: 480-831-2000

Langley Properties

Attn: Stacy Brimhall, Steve Rees and Josh Brimhall

2783 E Guadalupe Road

Gilbert, AZ 85234 Phone: 480-633-0999

Zoning Attorney: Pew & Lake

Attn: Sean Lake

1744 S Val Vista Drive

Mesa, AZ 85207

Phone: 480-461-4670

Engineer: Bowman Consulting Group, Ltd.

Attn: Troy Peterson, PE and Jessica Sarkissian, AICP

1295 W. Washington Street, Suite 108

Tempe, AZ 85281 Phone: 480-629-8830

Land Planning & Anderson Baron

Landscape Architect: Attn: Chris Jones, ASLA and Alex Fish

50 N. McClintock Drive, Suite 1

Chandler, AZ 85226 Phone: 480-669-7956

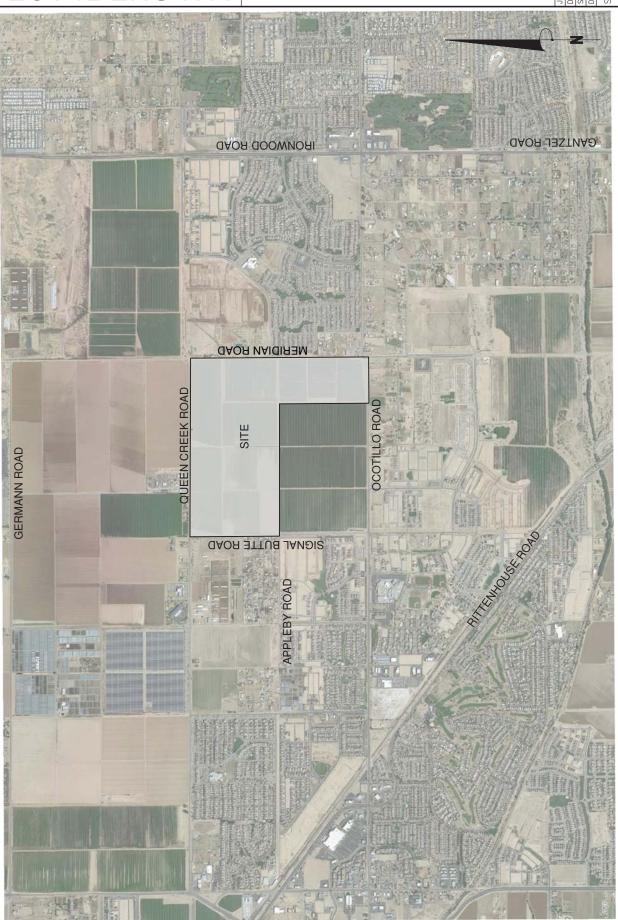
13. CONCLUSION

The Malone Place PAD demonstrates the following qualifications for approval:

- The requested modifications to the requirements of the Zoning Ordinance and the underlying Zoning Districts for the Malone Place PAD are in the best interest of the Town and are beneficial to the community in that a more appropriate transition may be provided from the more intense industrial zoning to the north to the medium density residential to the south. These deviations will enable a variety of housing options to existing and future residents;
- 2. That the strict adherence to the requirements of the Zoning Ordinance is not required in order to ensure the health, safety and welfare of the future residents of the Malone Place PAD as the project has been designed through coordination with the Town of Queen Creek staff to implement design standards and practices which provide for a safe and healthy environment is always provided. Improvements to Meridian Road will greatly improve the health safety and welfare of the residents of Queen Creek by addressing the dust and safety issues, as residents nearby will drive on the unimproved road filled with potholes and road barricades despite it being closed, to avoid traffic nearby;
- 3. That the strict adherence to the requirements of the Zoning Ordinance is not required in order to ensure that property values of adjacent properties will not be reduced, but enhanced with the improvement of surrounding arterial roadways and by providing a guiding document by which the community quality and design will be developed; and
- 4. That the proposed Malone Place development plan is consistent with the goals, objectives, and policies of the Queen Creek General Plan as described within Section 3 of this narrative.

The Malone Ranch PAD is designed with the entire Town in mind and takes into account the surrounding development, circulation, economics, and future vision of Queen Creek living.

Exhibit A



MALONE PLACE

VICINITY MAP QUEEN CREEK, ARIZONA

www.bowmanconsulting.com 1295 West Washington Ste 108 Tempe, Anzona 85281 Phone: (480) 629-8830

Exhibit B

Exhibit C



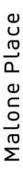


Exhibit D

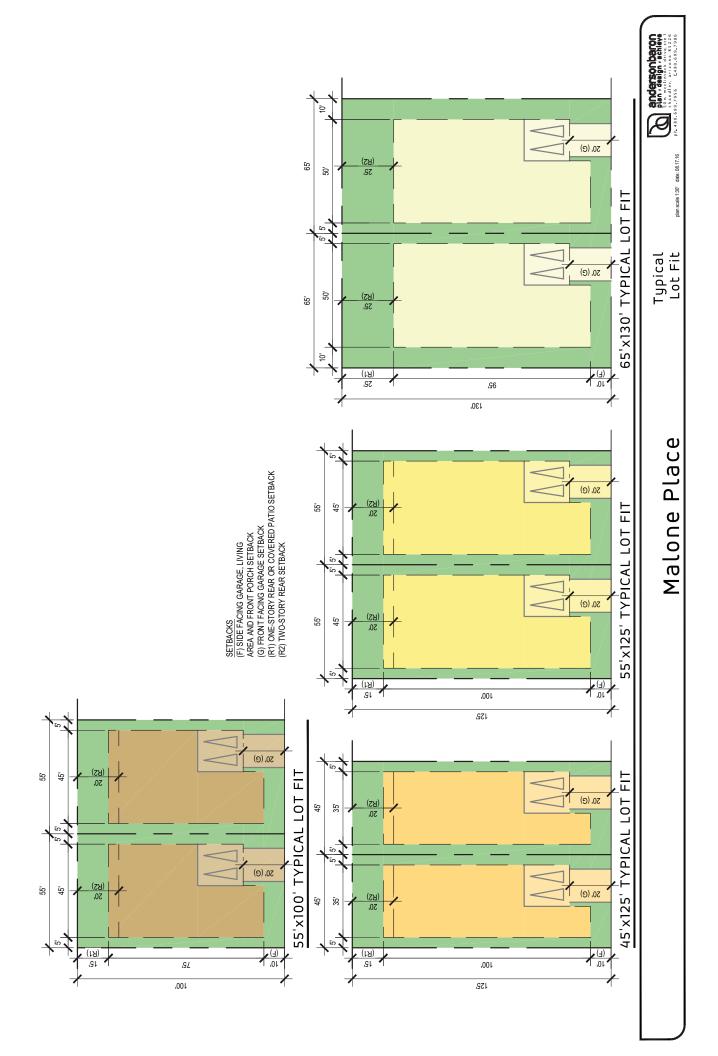


Exhibit E

Malone Place



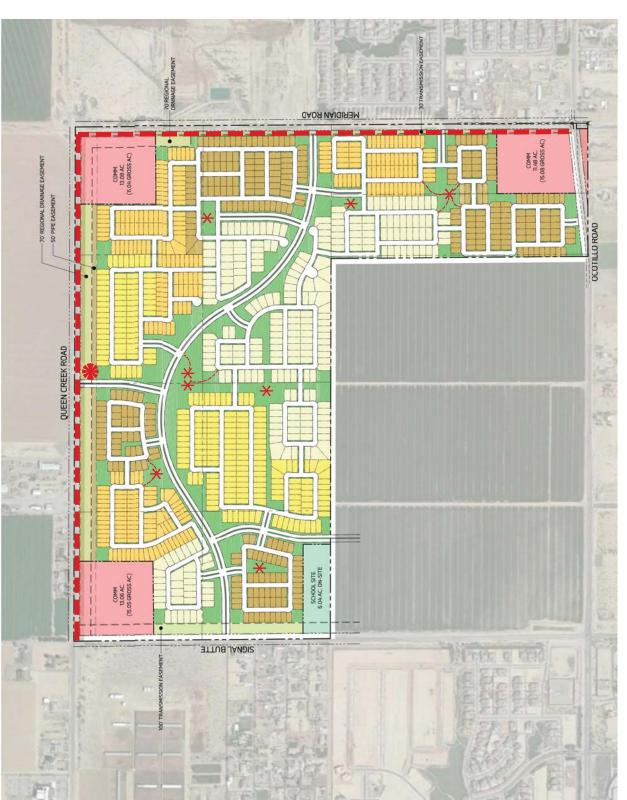


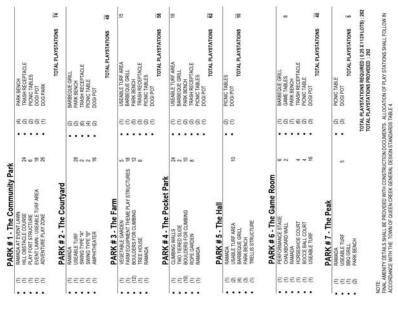


plan scale 1:300° date: 08.15.16

Landscape Master Plan







70' REGIONAL DRAINAGE EASEMENT
50' PIPE EASEMENT

QUEEN CREEK ROAD

5-0" SIDEWALK ON LOCAL ROAD TYP.

COMM 13.08 AC. (15.04 GROSS AC)

PARK

PARK #1

PARK #3

100' TRANSMISSION EASEMENT

COMM 13.06 AC. (15.05 GROSS AC)

PARK #7

PARK #2

5-0" SIDEWALK ON LOCAL ROAD TYP.

SIGNAL BUTTE

SCHOOL SITE 6.04 AC. ON-SITE

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TOTAL PLAYSTATIONS REQUIRED (0.25 X 1129 LO	DTAL PL	7				
				PARK BENCH	8	•
TOTAL PLAYSTATIONS				BBQ GRILL	£	•
DOG! POT	0	٠	40	USEABLE TURF	£	
PICNIC TABLE	8	•		RAMADA	0	•
				PARK #7 - The Peak		
TOTAL PLAYSTATIONS						
DOG! POT	6	٠	16	USEABLE TURF	3	٠
PICNIC TABLE	8	•	+	BOCCE BALL COURT	6	٠
TRASH RECEPTACLE	(Q.	٠	4	HORSESHOE COURT	E	•
PARK BENCH	6	•		RAMADA	3	•
GAME TABLES	8	•	2	CHALKBOARD WALL	3	٠

MERIDIAN ROAD

PARK #5

11.48 AC. (15.08 GROSS AC)

OCOTILLO ROAD

COMM

PARK #6

5-0" SIDEWALK ON LOCAL ROAD TYP.





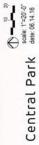






Exhibit F







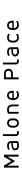








Exhibit G





Wall Plan

MALONE PLACE

Exhibit H

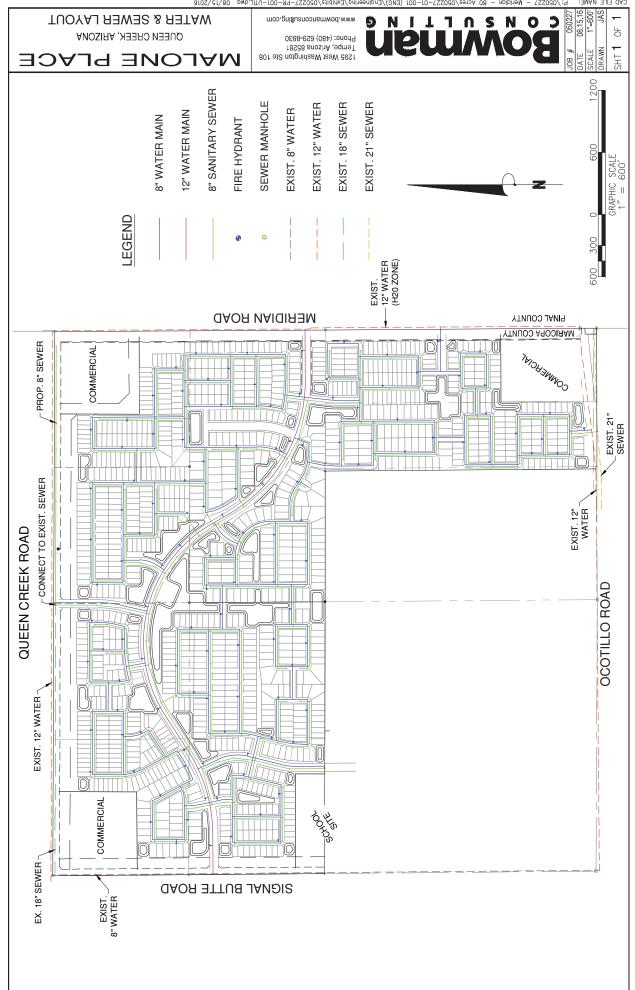
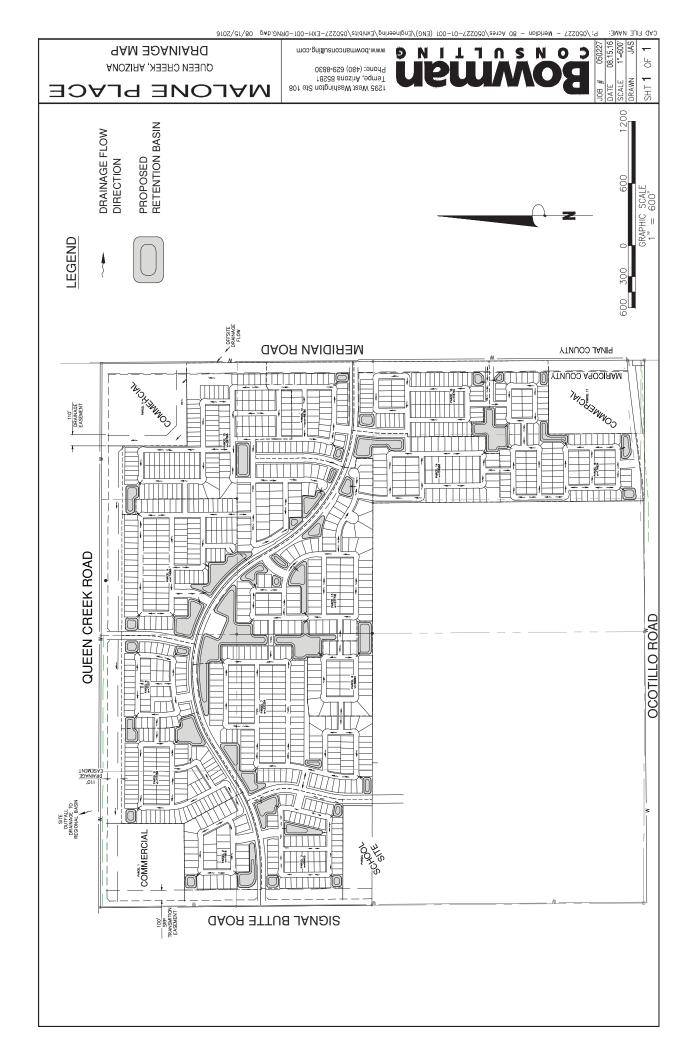


Exhibit I



ORDINANCE 621-16 CORRECTED

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, DECLARING AS PUBLIC RECORDS THAT CERTAIN DOCUMENTS TITLED "MALONE PLACE PLANNED AREA DEVELOPMENT REZONE", ATTACHED HERETO AS EXHIBIT "A", AND ADOPTING EXHIBIT "A", IN ADDITION TO THE DOCUMENT TITLED "CONDITIONS OF APPROVAL" AND ATTACHED HERETO AS EXHIBIT "B", AND ADOPTING EXHIBIT B", THEREBY AMENDING THE OFFICIAL ZONING DISTRICT MAP FOR THE TOWN OF QUEEN CREEK, ARIZONA, PURSUANT TO ARTICLE 3, SECTION 3.4 OF THE ZONING ORDINANCE FOR THE TOWN OF QUEEN CREEK BY CHANGING THE ZONING OF THE MALONE PLACE PLANNED AREA DEVELOPMENT REZONE SITE FROM RURAL ESTATE DISTRICT (R1-43), TO URBAN DEVELOPMENT DISTRICT (R1-5)/PAD, URBAN DEVELOPMENT TYPE A DISTRICT (R1-7)/PAD (C-2)/PAD COMMERCIAL **DISTRICT** AND GENERAL APPROXIMATELY 400 ACRES. THIS PROPERTY IS GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SIGNAL BUTTE ROAD AND QUEEN CREEK ROAD. THE ASSOCIATED ZONING CASE IS RZ16-045 (MALONE PLACE PLANNED AREA DEVELOPMENT REZONE).

WHEREAS, Arizona Revised Statutes § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, providing that the adopting ordinance is published in full; and

WHEREAS, Article 3, ZONING PROCEDURES, Section 3.4 ZONING AMENDMENT, establishes the authority and procedures for amending the Zoning Ordinance; and

WHEREAS, Article 4, ZONING, Section 4.2 Zoning District Maps, establishes the Zoning District Maps and states that the Zoning District Maps, along with all the notations, references, and other information shown thereon, are a part of this Ordinance and have the same force and effect as if said maps and all the notations, references, and other information shown thereon were all fully set forth or described in the zoning ordinance text; and,

WHEREAS, a Public Hearing on this ordinance was heard before the Planning and Zoning Commission August 31, 2016 on September 14, 2016; and

WHEREAS, the Planning and Zoning Commission voted 7-0 in favor of this zone change; and

WHEREAS, a Public Hearing on this ordinance was heard before the Town of Queen Creek Town Council on September 7, 2016 and September 21, 2016:

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:

- Section 1. The documents attached hereto as Exhibits "A and B," titled Barney Farms Planned Area Development Legal Description and Conditions of Approval are hereby declared to be public records;
- Section 2. Three (3) copies of Exhibits "A and B" are ordered to remain on file with the Town Clerk:
- Section 3. If any section, subsection, clause, phrase or portion of this ordinance or any part of these amendments to the Queen Creek Zoning Map is for any reason held invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY the Mayor and Town Council of the Town of Queen Creek, Maricopa County, this 21st day of September, 2016.

FOR THE TOWN OF QUEEN CREEK:	ATTESTED TO:
Gail Barney, Mayor	 Jennifer F. Robinson, Town Clerk
REVIEWED BY:	APPROVED AS TO FORM:
John Kross, Town Manager	Dickinson Wright, PLLC Attorneys for the Town

EXHIBIT A

Malone Place Planned Area Development Rezone Legal Description

Parcel 304-64-002E:

The Northwest quarter of the Northwest quarter of Section 13, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel 304-64-002D:

The Northeast quarter of the Northwest quarter and the Northwest quarter of the Northeast quarter of Section 13, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel 304-64-002B:

The West half of the South half of the Northwest quarter of Section 13, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel 304-64-002C:

The East half of the South half of the Northwest quarter of Section 13, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel 304-64-001D:

The North half of Section 13, Township 2 South, Range 7 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; EXCEPT the Northwest Quarter; and EXCEPT the Northwest Quarter of the Northwest Quarter thereof.

Parcel 304-64-003P:

The South half of Section 13, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the West 3,909.1 feet; and

EXCEPT the East 708.6 feet thereof.

Parcel 2:

The East 24.03 feet of the West 3909.1 feet of the South half of Section 13, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel 304-64-003M:

The East 708.6 Feet of the South half of Section 13, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXHIBIT B

Conditions of Approval

- 1. This project shall be developed in accordance with the plans attached to this case and all the provisions of the Zoning Ordinance applicable to this case.
- The developer shall create an HOA to maintain all landscaping, open space, common areas, recreation amenities, and all rights-of-way landscaping on all local, arterial and collector roadways. The design of all pedestrian and multiuse trail crossings shall be incorporated into the design of the Preliminary and Final Plats to ensure adequate safety.
- 3. A 6-acre elementary school site shall be provided in Parcel 4. The school site shall be dedicated to the Queen Creek Unified School District in conjunction with the first final plat. If the Queen Creek Unified School District chooses to no longer build a school on the donated site, the site will revert to the underlying R1-5 zoning district and be permitted to be developed as residential lots.
- 4. All commercial parcels shall be required to include a 30-foot landscape buffer along all sides that are adjacent to residential areas.
- 5. All future subdivisions shall contain detached sidewalks with street trees.
- 6. All walls shall comply with the regulations in the Zoning Ordinance.
- 7. This project shall be developed in accordance with the R1-5 and R1-7 Zoning Ordinance standards with the following PAD modifications listed below:

Malone Place Proposed Zoning Ordinance Deviations – R1-5 Zoning District

•	Required by	Malone Place Proposed Standards			
Standard	Zoning Ordinance	45' x 125' Lot	55' x 100' Lot	55' x 125' Lot	
Minimum Lot Width	50'	45'	55'	55'	
Minimum Lot Depth	70'	125'	100'	125'	
Minimum Lot Area	5,000 sq. ft.	5,625 sq. ft.	5,500 sq. ft.	6,875 sq. ft.	

Malone Place Proposed Zoning Ordinance Deviations - R1-7 Zoning District

Standard	Required by Zoning	Malone Place Proposed Standard	
Stariuaru	Ordinance	65' x 130' Lot	
Minimum Lot Width	70'	65'	
Minimum Lot Depth	100'	130'	
Minimum Lot Area	7,000 sq. ft.	8,450 sq. ft.	

- 8. The developer shall provide notice by way of the subdivision plat and CC&Rs, that this project is located near the Phoenix-Mesa Gateway Airport and due to its proximity is likely to experience noises normally and usually associated with the overflight of aircraft.
- 9. Final plats shall note the potential for objectionable aircraft noise. Specifically, the plat shall note the following: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, is likely to experience aircraft overflights, which could generate noise levels which may be of concern to some individuals. The mix of aircraft consists of cargo, commercial, charter, corporate, general aviation and military aircraft."
- 10. Sales offices for new single family residential projects shall provide notice to prospective buyers that the project is located within an Overflight Area. Such notice shall consist of a sign at least 2-foot x 3-foot installed at the entrance to the sales office or leasing office at the residential project. The sign shall be installed prior to commencement of sales and shall not be removed until the sales office is permanently closed. The sign shall state the following in letters of at least one inch (1") in height: "This subdivision, due to its proximity to Phoenix-Mesa Gateway Airport, is likely to experience aircraft overflights, which could generate noise levels which may be of concern to some individuals. The mix of aircraft consists of cargo, commercial, charter, corporate, general aviation and military aircraft. For additional information contact the Arizona Department of Real Estate at: 602-468-1414 or Phoenix- Mesa Gateway Airport Public Relations Office at: 480-988-7600."
- 11. Public reports filed with the Arizona Department of Real Estate shall disclose the location of the Airport and potential aircraft overflights. The following statement shall be included in the public report: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, is likely to experience aircraft overflights, which could generate noise levels which may be of concern to some individuals."
- 12. The construction, alteration, moving, and substantial repair of any human occupied building or structure in the new project shall achieve an exterior to interior Noise Level Reduction (NLR) of 20 decibels (dB) or an exterior to interior NLR that results in an interior noise level of 45 DNL or less. The

- developer shall submit a signed and sealed letter from a registered architect or engineer certifying that construction materials, methods and design employed to achieve the required noise reduction. A copy of the certification shall be submitted with the application for a building permit.
- 13. The owners of the new project, including mortgagees, other lien holders and easement holders, shall execute an avigation easement prior to or concurrently with the recordation of any final plat or approval of a final site plan for the new project. The easement shall be in a form approved by the Director of Planning.
- 14. Applicant shall provide to staff a clearance letter from Arizona State Historic Preservation Office (SHPO) before approval of the final plat.
- 15. The Rezoning approved in case number RZ16-045 is effective upon signature by the property owner(s) of the Prop 207 Waiver and filing of the waiver with the Town of Queen Creek Planning Division. Failure to sign and return the waiver to the Planning Division within 5 working days of the date of approval shall render this conditional approval null and void.
- 16. SRP Power The applicant shall contact SRP for specific requirements that they may have in addition to the Town requirements. The Town requires all poles less than 69kV to be relocated underground. SRP may require easements outside of Public Right-of-Way.
- 17. The SRP 230 kV Transmission Line has a proposed Signal Butte Road alignment within the vicinity of the project. The applicant shall coordinate all requirements and necessary easements for the SRP 230 kV Transmission Project.
- 18. Full ½ street improvements shall be required to be designed and constructed for Queen Creek Road, Ocotillo Road, Signal Butte Road, and Meridian Road for all portions of the Right-of-Way adjacent to the property frontage. Road improvements shall be to the centerline (section line) of the improved road and shall include removal and replacement of all asphalt to the centerline. Improvements shall also include all appropriate roadway tapers as required by the Town's Traffic Department.
- 19. For offsite public improvements the Town requires cash, irrevocable letter of credit (IRLOC), or a bond to cover the costs for construction assurance. The IRLOC and bond are required to be approved by the Town Attorney. Construction assurance shall be deposited with the Town prior to final plat recordation.
- 20. For onsite public improvements the Town requires cash, irrevocable letter of credit (IRLOC), bond, or a signed C of O hold agreement to cover the costs for

- construction assurance. The IRLOC and bond are required to be approved by the Town Attorney. Construction assurance shall be deposited with the Town prior to final plat recordation.
- 21.55 feet of half street of Right-of-Way on Meridian Road, Signal Butte Road and Ocotillo Road for the entire frontage of the property shall be required to be dedicated to the Town of Queen Creek on the Final Plat.
- 22. The developer shall coordinate and obtain approval from the Queen Creek Irrigation District including any required approvals from the Federal Bureau of Reclamation for any and all work within the existing 50-foot Bureau of Reclamation Easement.
- 23. Provide the following for traffic signal cost share:
 - a. Provide ¼ cost share (\$75,000) for the traffic signal at the intersection of Queen Creek Road and Signal Butte Road.
 - b. Provide ½ cost share (\$150,000) for the traffic signal at the intersection of Signal Butte Road and the Collector Road.
 - c. Provide ½ cost share (\$150,000) for the traffic signal at the intersection of Meridian Road and the Collector Road.
 - d. Provide ½ cost share (\$150,000) for the traffic signal at the intersection of Queen Creek Road & Collector Road.
 - e. Provide 1/4 cost share (\$75,000) for the traffic signal at the intersection of Queen Creek Road and Meridian Road.
 - f. Provide 1/4 cost share (\$75,000) for the traffic signal at the intersection of Ocotillo Road and Meridian Road.